AN ACT TO AMEND SECTION 65-1-173, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION TO EMPLOY AN ADDITIONAL RAILROAD INSPECTOR AND TO REMOVE THE COMMISSION'S AUTHORITY TO EMPLOY A RAILWAY SAFETY COORDINATOR; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 65-1-173, Mississippi Code of 1972, is amended as follows:

For the purpose of enforcing and investigating all violations of the railroad laws, and the rules, regulations and general orders of the Mississippi Transportation Commission promulgated thereunder, the commission is hereby authorized to employ six (6) inspectors. The salaries of the inspectors shall be fixed by the commission, subject to the state personnel system law as provided under Section 25-9-101 et seq. The inspectors shall devote their full time to the performance of their duties and shall take an oath faithfully to perform the duties of their positions. The commission shall require bonds to be carried on such employees as the commission may deem necessary, the cost thereof to be paid by the commission.

The inspectors shall be selected after an examination, as prescribed by the commission, as to physical and mental fitness, knowledge of the railroad laws, the rules and regulations of the commission, the laws of this state pertaining to arrest and any other examination as may be prescribed by the commission. An inspector, at the time of appointment, shall be a citizen of the State of Mississippi, of good moral character, and shall not be less than twenty-one (21) years of age.
The inspectors of the Mississippi Transportation Commission may enter upon private property upon which a railroad facility is located that is connected to but not a part of the general railroad system of transportation, at reasonable times and in a reasonable manner to perform an inspection, investigation or surveillance of facilities, equipment, records and operations relating to the packaging, loading or transportation of hazardous materials or other materials to determine whether the railroad facility complies with the applicable federal or state safety statutes, rules, regulations or orders. Any inspection, investigation or surveillance performed on the site of a manufacturing facility shall be performed in compliance with the safety rules or regulations of the facility.

SECTION 2. This act shall take effect and be in force from and after July 1, 2001.